

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT

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DATE: December 4, 2003

TO: Orange County Zoning Administrator

FROM: Planning and Development Services Department/Current Planning Services Division

SUBJECT: Public Hearing on Planning Application PA03-0089 for Coastal Development Permit

PROPOSAL: Construction of private community recreational facility on 2.6 acres in Planning Area 4B of the Newport Coast Planned Community/Local Coastal Plan. The proposed facility will be called the Crystal Cove Recreational Center and will include: a swimming pool with spa and pool cabana; three tennis courts with night lighting; a 1,982 square feet community building; a 1,408 square feet multi-purpose building; half-court basketball court; and, parking for 46 vehicles.

LOCATION: The project is located in Development Area 4B-1, on the northerly side of Reef Point Drive, northeasterly of its intersection with Shore Walk. Fifth Supervisorial District.

APPLICANT: Irvine Community Development Company, property owner
Culbertson, Adams & Associates, Inc., agent

STAFF William V. Melton, Project Manager

CONTACT: Phone: (714) 834-2541 FAX: (714) 667-8344

SYNOPSIS: Current Planning Services Division recommends Zoning Administrator approval of PA03-0089 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

BACKGROUND:

The project site is within Development Area 4B-1 of Planning Area 4B of the Newport Coast Planned Community/Local Coastal Program – Second Amendment, approved in December 1996. The site is generally located on the inland side of Reef Point Drive, northeasterly of its intersection with Shore Walk, and adjacent to PA 12C, Muddy Canyon. Approval of the proposed Coastal Development Permit provides for the construction-level details for a proposed 2.6-gross-acre private recreational facility

Planning Area 4B is part of the Newport Coast Phase IV-3 (Planning Areas 4A, 4B, 12C and 12E) and IV-4 (Planning Areas 5, 6 and 12G). Master Coastal Development Permit – Seventh Amendment, approved in July 1998 under PA97-0152. This MCDP established future development, the number of dwelling units, infrastructure and mass grading. Coastal Development Permit under PA98-0139 was approved in November 1998 for the construction of 280 single-family dwelling in PA 4A and 4B. In March 1999, a Coastal Development Permit under PA98-0187 was approved for construction of a private recreation center in PA 12C. The Coastal Commission appealed the approval of PA97-0152 in January

2000. In August 2000, the Coastal Commission approved Coastal Development Permit A5-IRC-99-301 for that area covered by PA97-0152. Changed Plan CP00-064 for PA98-0139 was approved in January 2001 to reflect changes to water quality improvements through A5-IRC-99-301. Changed Plan CP02-0046 for PA98-0139 (and superceding CP00-0064) was approved in October 2002 to increase the number of dwelling unit in PA 4A and 4B to 320, and to provide for a new 2.6-acre recreation center, include rough grading. This Coastal Development Permit is the construction level permit for that 2.6-acre recreation center established under CP02-0046. Staff notes that Changed Plan CP03-0039 was approved November 21, 2003 for Planning Area 4A and 4B to revise, among other things, the street layout, but did not change anything effecting the recreation center.

The proposed 2.6 acre recreation center replaces a larger recreation center previously approved in Planning Area 12C by PA98-0187 (the Irvine Company no longer has plans to have any development in Planning Area 12C). As was the previous recreation center in Planning Area 12C, the current proposed recreation center is private and is designed to be used only by residents and their guests living in Planning Areas 3A, 3B, 4A and 4B. The proposed private recreation facility includes: swimming pool and spa facilities (pool cabana building, 1,622 square feet); tennis courts and a basketball court with nigh lighting; a community building (one-story, 1,982 square feet); a multi-purpose building (one-story, 1,408 square feet); perimeter fencing; and parking for 46 vehicles. See the applicant's Letter of Explanation, Exhibit 1, for additional improvements proposed.

The Crystal Cove Recreation Center will be developed on approximately 2.6 acres. A total of 46 parking spaces (including 2 handicapped accessible spaces) will be provided in an on-site parking lot. Twelve additional parking spaces will be provided along Reef Point Drive. The architectural style for the recreation center will be "Santa Barbara." The predominant materials are clay "S" tile roof, stucco finish, exposed wood rafter tails, steel windows, and terra cotta accents on wall caps and window sills. The recreation center has 6,852 of roofed area and includes the following principal features:

- a. The Community Building - 1,982-square feet, 1-story structure consisting of a clubroom, a kitchen/bar, and men's and women's restrooms. A trash enclosure will be provided at the northwest corner of the parking lot.
- b. The Multi-Purpose Building - 1,408-square feet, 1-story structure consisting of a multi-purpose room and an office.
- c. The Pool Cabana Building - a 1,622-square feet, 1-story structure consisting of men's and women's restrooms, shower facilities, and the equipment room for the pool, spa, and wading pool filtration system.
- d. The Pavilions - 220-square feet covered patio structures for shade and picnicking. The Pavilion closest to Reef Point Drive will have two natural gas grills and a double sink for family barbeques.
- e. The pool and spa facility will consist of a 45'x75' swimming pool, a spa, and a children's wading pool.

- f. Pool decks and courtyards - a mixture of colored concrete, large potted plants, and raised planters will extend throughout the central core of the Recreation Center. A large raised planter and a fountain will be constructed in the courtyard between the Community Building and the Multi-Purpose Building. The courtyard will open into the pool and spa area.
- g. Tennis courts - three courts with perimeter fencing and lighting for night use. The 22' high light poles will be designed and located so that rays are directed on-site.
- h. Basketball court - single half court basketball court with lighting for night use. These light poles will also be designed and located so that rays are directed on-site.
- i. Site lighting - The Recreation Center will be provided with pole lighting for the parking lot, the tennis courts, the basketball court, and the swimming pool area. Exterior lighting on the building and along walkways will be provided at strategic locations for security and safety. Ground lighting will be provided in the landscaped areas for aesthetic purposes.
- j. Fencing for the Recreation Center will consist of a pool enclosure fence.

SURROUNDING LAND USE:

Direction	Planning Area	Land Use Designation	Existing Land Use
Project Site	4B (DA 4B-1)	Med. and High Density Residential	Vacant, graded. Approved residential, PA98-0139
North	12C	Recreation	Open Space, vacant
South	4B (DA 4B-1)	Med. and High Density Residential	Vacant, graded. Approved residential, PA98-0139
West	4B (DA 4B-2)	Med. and High Density Residential	Vacant, graded. Approved residential, PA98-0139
East	12C	Recreation	Open Space, vacant

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site and the California Coastal Commission. (The applicant is the only property owner within 300 feet. There are no occupied homes within 100 feet of the site). Additionally, a notice was posted at the site, at the 300 N. Flower Building and as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were distributed for review and comment to nine County Divisions, the City of Newport Beach, Friends of the Irvine Coast and the Coastal Commission. As of the writing of this staff report, no comments raising issues with the project have been

received from other County divisions. Friends of the Irvine Coast and the City of Newport Beach did not provide comments. The Coastal Commission recommended that the best management practice (BMP) include parking lot sweeping so the project is consistent with comprehensive Water Quality Management Plan approved for the Newport Coast Planned Community. The Coastal Commission's recommendation has been included in the BMP condition of approval.

CEQA COMPLIANCE:

The proposed project is covered by Final EIR No. 569, previously certified on July 21, 1998, and Addendum TTM 15613-Revised. Prior to project approval, this EIR and Addendum must be found adequate to satisfy the requirements of CEQA by the Zoning Administrator. Appendix A contains the required CEQA Finding.

DISCUSSION/ANALYSIS:

Planning Area 4A has a designation of "Medium and High Density Residential" in the Newport Coast Planned Community/LCP. The proposed private recreational facility is a sub-category of Community Facilities, which is a principal permitted use subject to Zoning Administrator approval. The proposed project is in compliance with the Chapter 4 Medium and High Density Residential site development standards and applicable standards of the Zoning Code. The parking proposed is found to be adequate for the use intended.

The proposal is much smaller in land area than the proposal approved for a recreational center in 12C. While smaller, the current facility provides the residents in Planning Area 3A, 3B, 4A and 4B a community recreation facility including: a swimming pool and spa, tennis courts, a basketball court, community and multi-purpose buildings with restrooms and adequate on-site parking. The structures proposed are all one story and styled in a manner to be compatible with the design of the future surrounding homes.

The Irvine Company presented the proposal to several groups that regularly review proposals in the Newport Coast. It is staff understanding that these groups did not have concerns. According to the applicant, the groups were pleased to learn the private recreation and equestrian center approved in Planning Area 12C would not be constructed and the Irvine Company plans to be dedicate the land to the County for open space purposes. Staff has not received any communications from any of the several review groups that normally provide comments on projects in the Newport Coast.

Additionally, being a principal permitted use is not subject to appeal to the Coastal Commission. There is a stream located over 200 feet from the site. Under Exhibit Y "Appeal Jurisdiction – Second Amendment" of the Newport Coast LCP, the project would be appealable to the Coastal Commission if it was located within 100 feet of a stream. The Coastal Commission previously reviewed the plans that were approved under CP02-0046 that established this site as a private recreational facility and determined that the project was not within 100 feet of a stream.

RECOMMENDED ACTION:

Based on staff review, Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA03-0089 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Chief
CPSD/Site Planning Section

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APPENDICES:

- A. Recommended Findings
- B. Recommended Conditions of Approval

EXHIBITS:

1. Applicant's Letter of Explanation
2. Environmental Documentation
3. Site Plans

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$760.00 filed at the Development Processing Center, 300 N. Flower Street, Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to the Planning and Development Services Dept.

In addition, this project is within the Coastal Zone and is not an "appealable development". Approval of an appealable development may be appealed directly to the California Coastal Commission (telephone number 562-560-5071), in compliance with their regulations, without exhausting the County's appeal procedures.